

#79. TOWN OF LUNENBURG PROCEDURAL POLICY:
SPONSORSHIP AND COMMEMORATIVE NAMING OF TOWN FACILITIES
PROPERTY, PROGRAMS AND EVENTS

1.0 STATEMENT

- 1.1 The Town of Lunenburg (“Town”) welcomes mutually beneficial partnerships and financial arrangements that enhance Town properties, programs, services or events to enhance the quality of life for its citizens. Commemorative naming of Town properties, etc. will also be considered pursuant to this Policy.

2.0 OBJECTIVE AND PURPOSE

- 2.1 The purpose of this Policy is to establish a protocol that:
- aligns with the Town’s public properties, programs, services and events;
 - provides guidelines which facilitate and support opportunities for sponsorship and naming; and
 - creates a consistent approach to identifying, soliciting, managing and reporting on sponsorships and naming opportunities
- 2.2 The Policy also outlines a procedure for the commemorative naming or renaming of parks and other Town open spaces and built facilities. Commemorative naming refers to the naming of a Town property or facility in honour of outstanding achievement, distinguished service, or significant community contribution, either with or without financial consideration.

3.0 SCOPE

- 3.1 All Town properties and built facilities are subject to this Policy whether leased or operated by third parties.

4.0 DEFINITIONS

- 4.1 For the purposes of this policy, the following definitions apply:
- a) **“Advertising”** denotes the sale or lease of advertising or signage space on Town-owned property. Unlike sponsorship, it involves the use of public advertising contracted at predetermined rates for a set period of time. Advertising does not imply any reciprocal partnership arrangement since the advertiser is not entitled to any additional benefits beyond access to the space.
 - b) **“Children and youth”** are under the age of 19.
 - c) **“Commemorative Naming”** refers to naming rights granted to honour outstanding achievement, distinguished service, or significant community contribution. Commemorative naming may or may not be tied to a financial contribution.

- d) **“Donations”** are cash or in-kind contributions which provide assistance to the Town. Donations do not constitute a business relationship since no reciprocal consideration is sought. Donations generally qualify for a tax receipt.
- e) **“Individual and Community Organization Commemorative Naming”** refers to naming rights granted to an individual, group of individuals, family foundation, or a non-profit community organization in recognition of significant philanthropy.
- f) **“Naming Rights”** are a type of sponsorship in which an external partner receives the exclusive right to name a Town property, facility, program or event under specific terms as set out herein. The naming right is sold or exchanged for cash or other valuable consideration.
- g) **“Open Space”** includes, but is not limited to, trails, pathway systems, utility features such as storm-water management ponds, and other like structures under the jurisdiction of the Town of Lunenburg.
- h) **“Park Land”** means all park land designations including, but not limited to, dedicated park land, Town-wide parks, community parks, neighbourhood parks, parkettes, open space, etc. owned by and/or under the jurisdiction of the Town of Lunenburg.
- i) **“Properties”** refers to Town assets. These include, but are not limited to, events, services, programs, activities, real property, facilities, intellectual property, parks, features (e.g., rooms, ice pads, playgrounds, etc.), and other assets, but not including streets and lanes.
- j) **“Regulated substance”** refers generally to a drug or chemical whose manufacture, possession, or use is regulated by a government, including but not limited to alcohol, cannabis, tobacco or vaping devices, gambling, firearms, etc.
- k) **“Sponsorship”** is a mutually beneficial business arrangement wherein an external party, whether for profit or otherwise, provides cash and/or in-kind services to the Town in return for commercial advantage. This payback may take the form of publicity, promotional consideration, merchandising opportunities, etc. Because of these marketing benefits, a sponsorship does not qualify for a tax receipt.
- l) **“Town”** means the Town of Lunenburg.

5.0 PROCEDURES

5.1 General

- 5.1.1 Town Council may authorize Town staff to solicit and negotiate sponsorships and naming opportunities subject to this policy for Council approval. More than one prospective sponsor or funding partner will be approached by Town staff to ensure fair access. Potential sponsors must not be canvassed in a manner that uses or implies coercion or bias. Prospective sponsors that decline solicitations for contributions shall not be penalized.
- 5.1.2 Sponsorship funding and any other financial contributions may only be accepted to supplement Council-approved initiatives. Sponsorships and any other monetary gifts must be for purposes consistent with the Town’s mandate and must be considered to be in the public interest of the Town.

- 5.1.3 Town charitable tax receipts shall be issued only in accordance with the *Income Tax Act* and the policies of the Canada Revenue Agency.
- 5.1.4 The Town shall retain ownership and control over any sponsored property with the exception of leased Town lands subject to applicable lease terms.
- 5.1.5 The Town does not endorse or warranty the products, services, or ideas of any sponsor or funding partner.
- 5.1.6 All sponsorship relationships, rights and responsibilities shall be confirmed by written agreement.

5.2 **Sponsorship Criteria and Process**

- 5.2.1 The Town will consider all sponsorship proposals but has no obligation to accept any of them. The Town reserves the right to refuse any proposal, including, but not limited to, those submitted by third parties whose activities are perceived to be in inconsistent with the Town's goals, values or mission.
- 5.2.2 The Town will not enter into a sponsorship agreement for any municipal facility, property, service or event that is targeted to children, youth and families with an external party whose main business is derived from the production and/or sale of a regulated substance including but not limited to alcohol, cannabis, tobacco or vaping devices, gambling, firearms, etc. This restriction does not apply to a business that is a liquor-licensed eating establishment. Additionally, where Council does enter into a sponsorship agreement for any municipal facility, property, service or event targeted to adults with any of the aforementioned external parties, measures will be put in place by the external party to limit exposure to marketing and advertising of said products to children and youth, and must include responsible usage messaging.
- 5.2.3 All sponsorship or naming arrangement agreements must be arranged for a fixed term, but may include renewal provisions.
- 5.2.4 Sponsorships and naming arrangements shall conform to all applicable Federal and Provincial statutes, and to all applicable Town bylaws, policies and existing contractual obligations.
- 5.2.5 The sponsorship or naming arrangement must not unduly detract from the character, integrity, aesthetic quality or safety of the Town property or facility, or unreasonably interfere with its public enjoyment or use.
- 5.2.6 The sponsorship must not result in, or be perceived to result in any competitive advantage, benefit or preferential treatment for the sponsor outside of the sponsorship agreement. Benefits to the sponsor are to be commensurate with the size and scope of the sponsorship.
- 5.2.7 Sponsors are prohibited from implying that their products, services or ideas are endorsed by the Town.

5.2.8 All sponsorships must be documented. The Town shall draft a written agreement which shall include:

- a) the identify of all the parties in the arrangement;
- b) the type and estimated market value of the contribution;
- c) terms of payment and disposition of any surplus funds or goods;
- d) a waiver from liability and an indemnity clause for damages or losses incurred by the Town;
- e) responsibilities of the respective parties (e.g., installation and maintenance, permits, insurance, removal from and remediation to the site, etc.);
- f) benefits to be received by the sponsor (e.g., exclusivity rights, logos and signage, promotional opportunities, form of recognition, etc.);
- g) the duration of the sponsorship and delivery dates;
- h) a statement acknowledging that the sponsorship agreement is a public document;
- i) an exit clause, conditions for termination and the remedies available to both parties upon cancellation; and
- j) a statement that all parties are aware of, and agree to comply with, the provisions of this Policy.

5.2.9 Town Council shall monitor the effectiveness of the sponsorship to ensure that the respective parties are adhering to the terms of the written agreement.

5.2.10 Potential sponsors must supply copies of other sponsorship documents and financial details with other organizations.

5.3 Naming Criteria and Process

5.3.1 Council shall approve all names in honour of individuals or groups. All requests for naming, designating or renaming in honour of individuals or groups shall be submitted in writing, with supporting explanation and/or justification to Town Council. Council may ask staff to prepare a report with recommendations for consideration.

5.3.2 Unless criteria has already been predetermined and approved by Council as part of a capital fund raising campaign, any individual or group wishing to submit a request for naming/renaming any park/open space, facility or component feature must provide a written proposal to the Town Council and should include at least the following minimum information:

- a) name of the applicant;
- b) identification of the parks/open spaces or park features to be named/renamed;
- c) proposed name;
- d) background information describing the accomplishments and/or legitimacy of the name designation; and
- e) letters of support.

5.3.3 Names for consideration shall be those of distinguished persons, organizations, corporations, foundations or families:

- a) who have demonstrated excellence, courage or exceptional service to the citizens of the Town of Lunenburg;
- b) to memorialize or otherwise recognize substantial gifts and significant donors, individuals designated by donors, or individuals who have made exemplary or meritorious contributions to the Town of Lunenburg;
- c) where there is a strong historical or cultural connection to the Town of Lunenburg and/or where there has been a major contribution to the historical or cultural preservation of the Town;
- d) where there is a strong contribution toward environmental preservation, conservation or enhancement of the Town;
- e) where there is a major contribution made to the acquisition, development or conveyance of land or building in question and/or its subsequent development;
- f) where there is a direct relationship or association that exists between the place or former place of residence of the person or group and the facility/park to be named; or
- g) in honour of individuals or groups who have made an outstanding contribution provincially, nationally, or internationally.

5.3.4 Naming in honour of elected or appointed public officials, Town officials or staff shall occur only after the public service or employment has concluded.

5.3.5 Town Council may also assign a commemorative name based on the adjacent street, functional use, geographic feature, community name, historic significance or other relevant factor(s).

5.3.6 Town Council may offer (re-)naming opportunities by establishing financial and other thresholds:

- a) Naming opportunities will begin at a monetary amount deemed to be substantial in relation to the capital cost and with consideration of the ongoing operating costs. The Naming may be contingent upon ongoing financial support. The profile of the facility may also influence the determination of the size of the gift require to secure the naming right.
- b) Naming opportunities will not imply that the name or names will be used in perpetuity. If the building is demolished or replaced, or where occupancy or usage of the building changes, or where the former name is no longer appropriate, etc. then Town Council may decide to consider whether a new name is necessary.
- c) Because of their increased profile and marketing appeal, these items will instead serve as annual sponsorship opportunities allowing for increased value as renewable sources of revenue.

5.3.7 If a financial contribution is made for a naming right, all provisions relating to the preparation and execution of a sponsorship agreement noted above shall apply.

5.3.8 When possible, if a request to name/rename is directly associated with, or is on land that has been donated to the Town, the original donor or family will be advised.

5.3.9 When a naming/renaming request is submitted, staff shall conduct a historical review of the current name prior to recommending approval.

5.3.10 When a naming/renaming request is submitted, staff will ensure that the nominee being honoured is in agreement with the naming proposal (if they are living), or by their legal representative should they be deceased.

5.4 Signage Criteria

5.4.1 Town Council may coordinate the public presentation or signage to acknowledge the naming/renaming designation. Costs associated with naming/renaming of a park/open space or component feature as outlined in this policy may be assumed by the Town of Lunenburg and be paid for out of the proceeds of any related donation.

5.4.2 The Town will have final approval for the selection and location of any signage, including signage text and design.

5.4.3 The Town will bear the responsibility of ongoing maintenance for the signage, unless other arrangements are negotiated in the process.

5.5 Events

5.5.1 Town Council may hold sponsorship and commemorative (re-)naming events to thank donors and create public awareness.

5.5.2 Public Events held within the Town may bear the name of a sponsoring body if all criteria for sponsorship and naming as outlined elsewhere in this policy are met.

5.6 Sponsorship of Leased Town Lands

5.6.1 Town lands that are leased to a third party shall be subject to this Policy. The Lessee must seek Town approval in accordance with the terms and conditions of this Policy and any additional lease terms.

Clerk's Annotation for Official Policy Book

Date of Notice to Council Members of Intent to Consider (7 day minimum):
June 28, 2016

Date of Passage of Policy: July 26, 2016

Date of Notice to Council Members of Intent to Amend the Policy (7 days minimum):
November 12, 2019

Date of Passage of Amendments to the Policy (sections 1. j. and 2.2):
November 26, 2019

I certify that this Policy was adopted by Council as indicated above.

Municipal Clerk

Date